



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

05 JUL 26 AM 10: 51
ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

IN THE MATTER OF)
)
Barton-Keller Saw Mill,)
)
RESPONDENT)
_____)

Docket No. CAA-07-2005-0205

**ORDER GRANTING MOTION FOR EXTENSION OF TIME
TO FILE CONSENT AGREEMENT AND FINAL ORDER**

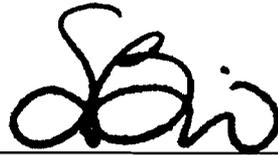
The record in this matter indicates that on June 15, 2005 the Neutral Judge reported that the parties were in the process of finalizing their Consent Agreement and Final Order (“CAFO”). Therefore, by Order dated June 20, 2005, this Tribunal required that the parties file the fully executed CAFO no later than July 20, 2005.

By Motion dated July 19, 2005, Complainant requests that the CAFO filing deadline be extended to August 1, 2005, because “Respondent’s Attorney is on military duty ... and has been unable to reach his clients to determine if they have signed and/or forwarded the proposed Consent Agreement.” Complainant’s counsel has represented to the undersigned’s staff by telephone that Respondent’s counsel does not oppose this Motion.

Complainant’s Motion for Extension of Time is hereby **GRANTED**, as set forth below:

Good cause exists for the granting of the Motion for Extension, in that it is in the interests of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than litigate the matter to conclusion. Therefore, the parties are hereby ORDERED to file the fully executed Consent Agreement and Final Order memorializing their settlement no later than AUGUST 1, 2005, with a copy contemporaneously sent to the undersigned by facsimile and by mail.

FAILURE TO SUBMIT THE CONSENT AGREEMENT IN A TIMELY MANNER MAY RESULT IN ENTRY OF AN ORDER OF DISMISSAL WITH PREJUDICE OR DEFAULT, AS APPROPRIATE, WITHOUT FURTHER NOTICE.



Susan L. Biro
Chief Administrative Law Judge

Dated: July 20, 2005
Washington, D.C.

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Motion For Extension Of Time To File Consent Agreement And Final Order**, dated July 20, 2005, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Legal Staff Assistant

Dated: July 20, 2005

Original And One Copy By Pouch Mail To:

Kathy Robinson
Regional Hearing Clerk
U.S. EPA
901 North 5th Street
Kansas City, KS 66101

Copy By Pouch Mail To:

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